

# EXHIBIT PP

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

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ORACLE AMERICA, INC.,  
Plaintiff,  
vs. No. CV 10-03561 WHA  
GOOGLE INC.,  
Defendant.  
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HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
VIDEOTAPED DEPOSITION OF JAMES KOLOTOUROS  
Palo Alto, California  
Tuesday, January 26, 2016  
Volume I

Reported by:  
CATHERINE A. RYAN  
CSR No. 8239  
Job No. 2224276  
PAGES 1 - 232

1 MR. RAGLAND: Same objection.

2 THE WITNESS: Not that I am aware of.

3 BY MS. LEWIS-GRUSS:

4 Q And if I could direct your attention to  
5 the first page under the bold "Overall Project."

6 A Uh-huh.

7 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

11 Do you agree that the Android TV project  
12 is progressing well?

13 MR. RAGLAND: Objection. Form.

14 THE WITNESS: As of today or as of when  
15 this was written?

16 BY MS. LEWIS-GRUSS:

17 Q As of the date this was written, do you  
18 agree that Android TV was progressing well?

19 MR. RAGLAND: Same objection.

20 THE WITNESS: So to make sure I don't  
21 mischaracterize, do I believe that as of June 1st,  
22 2014, the Android TV project was progressing well?

23 BY MS. LEWIS-GRUSS:

24 Q That is my question.

25 A I believe -- I believe so.

1 Q Do you think, as you sit here today, that  
2 Android TV is currently progressing well?

3 A I believe so.

4 Q So there's been no change -- there's been  
5 no negative change between June 2014 and today  
6 regarding Android TV --

7 MR. RAGLAND: Objection.

8 BY MS. LEWIS-GRUSS:

9 Q -- is that correct?

10 MR. RAGLAND: Objection. Form.

11 THE WITNESS: I think -- I think that's a  
12 fair characterization.

13 BY MS. LEWIS-GRUSS:

14 Q Are you aware of any financial projections  
15 that Google has performed regarding Android TV?

16 A I'm not familiar with any financial  
17 projections in connection with Android TV.

18 Q What is the purpose of Android TV for  
19 Google?

20 MR. RAGLAND: Objection. Form. Beyond  
21 the scope of the noticed topics.

22 THE WITNESS: What is the purpose of  
23 Android TV? I think to expand the Android ecosystem  
24 to additional form factors that are relevant for  
25 Android.

1 BY MS. LEWIS-GRUSS:

2 Q Does Google collect data via Android TV?

3 MR. RAGLAND: Objection to form. Also,  
4 beyond the scope of the noticed topics.

5 THE WITNESS: I am unfamiliar with the  
6 data collection practices of Android TV.

7 BY MS. LEWIS-GRUSS:

8 Q Do you have a reason to believe that  
9 Google does not collect data from users of Android  
10 TV?

11 MR. RAGLAND: Objection to form. Also,  
12 beyond the scope of the noticed topics.

13 THE WITNESS: I -- I'd feel uncomfortable  
14 saying one way or another what they're collecting or  
15 not collecting as it relates to data and Android TV.

16 BY MS. LEWIS-GRUSS:

17 Q Were you involved in any efforts to  
18 prepare a strategy regarding the launch of Android  
19 TV?

20 MR. RAGLAND: Objection to form.

21 THE WITNESS: I was not.

22 BY MS. LEWIS-GRUSS:

23 Q Were you involved in any efforts to expand  
24 the reach of Android TV?

25 MR. RAGLAND: Same objection.

1 THE WITNESS: I believe so, but I have not  
2 read that agreement recently; so I'm not a hundred  
3 percent familiar with what the current terms would  
4 contain.

5 BY MS. LEWIS-GRUSS:

6 Q Mr. Kolotouros, do you understand that you  
7 are here today to testify about strategies in any  
8 way associated with Android under any part thereof?

9 MR. RAGLAND: Objection. Form. I'll also  
10 refer to Docket No. 1416, which bears upon  
11 presentation of the witness today.

12 THE WITNESS: I understand.

13 BY MS. LEWIS-GRUSS:

14 Q Do you understand what Google strategy is  
15 for Android TV?

16 MR. RAGLAND: Objection. Form.

17 THE WITNESS: At a high level I believe I  
18 know what the strategy is.

19 BY MS. LEWIS-GRUSS:

20 Q Okay. Could you describe to me what  
21 Google strategy is for Android TV, please?

22 MR. RAGLAND: Objection. Form.

23 [REDACTED]  
[REDACTED]  
[REDACTED],

The image consists of a single, uniform black rectangle covering the entire area. There are no visible features, text, or patterns.

1 BY MS. LEWIS-GRUSS:

2 Q Do you know what percentage of the  
3 television market uses Android TV?

4 MR. RAGLAND: Objection. Form and scope.

5 THE WITNESS: I do not.

6 BY MS. LEWIS-GRUSS:

7 Q Do you know what percentage of television  
8 manufacturers have entered into agreements with  
9 Google for the deployment of Android TV?

10 MR. RAGLAND: Same objections.

11 THE WITNESS: What percentage of  
12 manufacturers? I don't know how many manufacturers  
13 there are; so I'm not sure what the percentage would  
14 be.

15 BY MS. LEWIS-GRUSS:

16 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



[illegible]

Q And once a product has been released to a

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1 market, how does Google measure the success of that  
2 device?

3 A Whether the -- if the OEM feels that  
4 device has been successful, we will feel that device  
5 has probably been successful.

6 Q What does Google expect to get in return  
7 for its investment in engineering support and  
8 product resources provided to the manufacturer of an  
9 Android Wear device?

10 MR. RAGLAND: Objection to form.

11 THE WITNESS: What do we expect to get in  
12 return? I think the only expectation we have is  
13 that their delivery of a compelling device will  
14 further validate the -- the Android Wear product in  
15 the wearable space -- the connected wearable space.  
16 BY MS. LEWIS-GRUSS:

17 Q Why is the Android connected wearable  
18 space a space that Google wants to be involved in?

19 MR. RAGLAND: Objection to form.

20 THE WITNESS: I think we believe that in  
21 that other ecosystems are in the wearable space  
22 and -- and trying to expand their own ecosystems,  
23 that if we are unable to be successful in the  
24 wearables category, it might implicate the prospects  
25 for Android as an ecosystem for connected devices or

1 for -- well, for connected devices, I guess.

2 BY MS. LEWIS-GRUSS:

3 Q And how would lack of success in the  
4 wearable space impact the ecosystem for Android?

5 MR. RAGLAND: Objection to form and to  
6 scope.

7 THE WITNESS: Can you repeat the question,  
8 please?

9 (Record read by the reporter as follows:

10 "QUESTION: And how would lack of  
11 success in the wearable space impact the  
12 ecosystem for Android?")

13 THE WITNESS: If users do not believe that  
14 Android Wear was a -- a good product for them to  
15 choose from, they might be driven away from Android  
16 as an ecosystem as a whole and not want to consider  
17 Android for a smartphone or a tablet or TV purchase.

18 BY MS. LEWIS-GRUSS:

19 Q Does Google earn revenue in conjunction  
20 with the Android Wear platform?

21 A Not that I'm aware of.

22 Q Does Google sell applications and content  
23 via Android Wear devices?

24 MR. RAGLAND: Objection. Form.

25 THE WITNESS: I don't know if any of the

1 apps in Android Wear are paid apps. There is --  
2 there is that chance, but I'm -- I'm not familiar  
3 with any.

4 BY MS. LEWIS-GRUSS:

5 Q Do you know if Google has any plan to  
6 collect data associated with consumers' use of  
7 Android Wear?

8 MR. RAGLAND: Objection to form.  
9 Objection as beyond the scope of the noticed topics.

10 THE WITNESS: I'm unfamiliar with the data  
11 collection plans for Android Wear.

12 BY MS. LEWIS-GRUSS:

13 Q Do you know whether any Google  
14 applications are preloaded on Android Wear devices?

15 MR. RAGLAND: Objection to form.

16 THE WITNESS: I think -- I think the  
17 Google Launcher is, but I'm not sure what else might  
18 be preloaded on the -- an Android Wear device.

19 BY MS. LEWIS-GRUSS:

20 Q And what is the Google Launcher?

21 A I think it's the interface that helps the  
22 user navigate the screens and the swiping gestures  
23 of a wearable device.

24 [REDACTED]  
[REDACTED]

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15           Q     You can put this aside. You can hand this  
16 back to us, actually.

17           A     There you go.

18           Q     Thank you.

19                   Are you familiar with Brillo?

20           A     I am familiar with Brillo.

21           Q     What is Brillo?

22           A     Brillo is a platform which we are  
23 developing to satisfy the Internet of Things  
24 marketplace or offer the Internet of Things  
25 marketplace.

1 Q And why is it important to Google that it  
2 be able to offer the Internet of Things marketplace?

3 MR. RAGLAND: Objection to form.

4 THE WITNESS: Excuse me. We -- we think  
5 it is important to offer a solution to the Internet  
6 of Things marketplace, the same reason it is to  
7 offer a solution for TV or wearables or autos in  
8 that we want the ecosystem to remain relevant as it  
9 expands in newer and diverse form factors.

10 BY MS. LEWIS-GRUSS:

11 Q So is it Google's position that if the  
12 Android ecosystem is considered to be weak in one  
13 product area, that threatens the strength of the --  
14 of the rest of the Android ecosystem?

15 MR. RAGLAND: Objection to form.  
16 Objection. Beyond the scope of noticed topics.

17 THE WITNESS: I think that if at a point  
18 in time a user believes that Android does not offer  
19 the solutions it would -- he or she would need when  
20 making a buying decision for any one of a range of  
21 devices, that -- that perspective, to the extent  
22 that they ruled Android out, would not be a good  
23 thing.

24 BY MS. LEWIS-GRUSS:

25 Q And when you say that would not be a good

1 thing, in what way would it not be a good thing?

2 MR. RAGLAND: Objection to form.

3 THE WITNESS: It would result to a user's  
4 utilizing Android less either on a device-by-device  
5 basis or on an ecosystem level.

6 BY MS. LEWIS-GRUSS:

7 Q What is -- what do you consider the  
8 Internet of Things marketplace to be?

9 MR. RAGLAND: Objection to form.

10 THE WITNESS: So I'd probably call the  
11 Internet of Things industry or the Internet of  
12 Things segment. It is the migration of -- of  
13 standard or smallish or household or pedestrian  
14 devices that become connected to the Cloud and the  
15 ability to enable features or functions or utility  
16 in connection with those devices that pre- --  
17 heretofore had been not available via connected  
18 devices and being connected to the Cloud.

19 BY MS. LEWIS-GRUSS:

20 Q So when you said the IT marketplace,  
21 you're not talking about something like the Google  
22 Play Store for IoT, are you?

23 MR. RAGLAND: Objection to form.

24 THE WITNESS: That is not what I -- I'm  
25 not referring to something equivalent to Play.

1 BY MS. LEWIS-GRUSS:

2 Q Do you know what Google's licensing  
3 strategy is for Brillo?

4 MR. RAGLAND: Objection to form.

5 THE WITNESS: I have a high-level  
6 understanding, but it might not be current.

7 BY MS. LEWIS-GRUSS:

8 Q Was there -- could you please tell me what  
9 your high-level understanding is, and you can -- may  
10 also explain, you know, the time frame that you  
11 think --

12	A	Right.
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13 Q -- it was relevant for.

14

Response	Percentage
Yes, the U.S. should take action to address climate change	14
No, the U.S. should not take action to address climate change	86



4	A	That is correct.
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[illegible]

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BY MS. LEWIS-GRUSS:

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Q So we've spoken a lot today about the  
Android ecosystem. Is it Google strategy to have  
the most popular mobile device ecosystem in the  
world?

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MR. RAGLAND: Objection to form, and  
objection to the extent it's beyond the scope of the  
noticed topics.

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THE WITNESS: I don't think the most  
popular is the prevailing goal.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

MS. LEWIS-GRUSS: I think we have no

further questions for you at this time. We, of

course, keep -- as always, will request to keep this

deposition open because we do feel that there were

certain topics that this witness was not properly

prepared on.

MR. RAGLAND: I have to state that this

deposition is closed. I'll refer to document 1416

which states: "As part of a stipulated and

so-ordered agreement --" that which resolved some

Oracle motions, we agreed that Mr. Kolotouros would

be from "-- Jim Kolotouros from Google's Global

Business Group will be produced to testify for up to

1 five hours. Google will prepare the witness to  
2 testify consistent with Judge Alsup's standing order  
3 regarding 30(b)(6) deposition preparation, Docket 26  
4 at paragraph 23, but Google does not represent that  
5 these witnesses, either Mr. Kolotouros or the other  
6 witness subject to this order, have knowledge about  
7 the full scope of topics 2 through 4, and Oracle  
8 withdraws its demand for additional 30(b)(6)  
9 testimony with respect to topic 8."

10 Therefore, there is no basis to keep this  
11 deposition open, and it is now concluded.

12 MS. LEWIS-GRUSS: That stipulation goes on  
13 to say that we have a right to challenge the  
14 testimony that we receive as being incomplete, and  
15 so, accordingly, we have every right to keep this  
16 deposition open, and we would stand on that right.

17 MR. RAGLAND: We'll litigate it if need  
18 be, but hopefully we won't have that needless  
19 litigation.

20 THE VIDEOGRAPHER: This marks the end of  
21 DVD No. 3 in the deposition of Jim Kolotouros.  
22 Going off the record. The time is 3:53.

23 (TIME NOTED: 3:53 P.M.)  
24  
25

1 I, the undersigned, a Certified Shorthand  
2 Reporter of the State of California, do hereby  
3 certify:

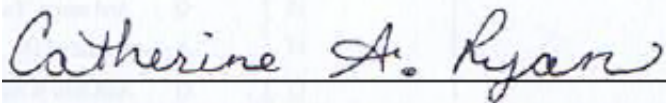
4 That the foregoing proceedings were taken  
5 before me at the time and place herein set forth;  
6 that any witnesses in the foregoing proceedings,  
7 prior to testifying, were administered an oath; that  
8 a record of the proceedings was made by me using  
9 machine shorthand which was thereafter transcribed  
10 under my direction; that the foregoing is a true  
11 record of the testimony given.

12 Further, that if the foregoing pertains to the  
13 original transcript of a deposition in a Federal  
14 Case, before completion of the proceedings, review  
15 of the transcript [ ] was [ ] was not requested.

16 I further certify that I am neither  
17 financially interested in the action nor a relative  
18 or employee of any attorney or any party to this  
19 action.

20 IN WITNESS WHEREOF, I have this date  
21 subscribed my name.

22 Dated: 01/29/2016

23   
24

Catherine A. Ryan, RMR, CRR

25 CSR No. 8239